

# United States Court of Appeals For the First Circuit

No. 16-1905

CHARLES WILHITE  
Plaintiff – Appellee

v.

ANTHONY PIOGGIA; STEVEN TATRO, in their individual capacities  
Defendants – Appellants

## **STATUS REPORT**

Now Come ANTHONY PIOGGIA; STEVEN TATRO, in their individual capacities, Defendants – Appellants in the above-referenced case and provide the following status report.<sup>1</sup>

The parties, as a result of mediation with the Hon. Patrick King, Settlement Counsel for the United States Court of Appeals, have executed a settlement agreement, in full and final financial satisfaction of the claims, disputes, and issues between the City and Plaintiff arising out of the events that are the subject of *Wilhite v. Pioggia et al.* C.A. No. 14-cv-30023-MAP, which were brought or which could have been brought in the Action, a civil rights lawsuit in the United States District Court for the District of Massachusetts,

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<sup>1</sup> The Defendants have been attempting to file this document since 2/17/2017, but have been experiencing computer problems which have since been resolved.

inclusive of attorney's fees, liens, and expenses, and which were the subject of this interlocutory appeal.

In the Settlement Agreement, the parties agreed that this settlement is a compromise to avoid the uncertainties of further litigation. This settlement releases all claims in the above Civil Action including claims for punitive damages, attorney's fees and litigation costs under 42 U.S.C. § 1988, and interest, and, pursuant to the Settlement Agreement, a check has been issued made payable to "The Law Offices of Howard Friedman, P.C. as attorney for Charles Wilhite."

As such, this action can be dismissed. A copy of this status report will also be filed in the District Court, indicated the case was settled while on interlocutory appeal.

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true copy of the within document was served upon counsel for all parties on this 27<sup>h</sup> day of February, 2017, via the ECF system.

**THE DEFENDANTS,**  
By Their Attorneys

/s/ Edward M. Pikula

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